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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jacobsen, E.N. et al.

Examiner: Powers, F.

Application Serial No.: 10/615,501

Art Unit: 1626

Filed: July 7, 2003

Atty. Docket No.: HUV-020.06

Title: *Nucleophilic Kinetic Resolution of  
Cyclic Substrates Using Silyl Azides*

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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May 19, 2004

Date of Signature and Mail Deposit

By:

  
John Barretto

**INFORMATION DISCLOSURE STATEMENT**

Dear Examiner Powers:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the patents and publications are enclosed.

**REMARKS**

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed:

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office Action** on the merits, or before the mailing of a **first Office Action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or



- ☐ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or
- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

#### STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [**check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required**]:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

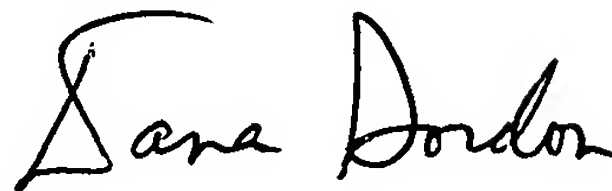


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Date: May 19, 2004

Respectfully submitted,  
FOLEY HOAG LLP

A handwritten signature in cursive script, reading "Dana Gordon".

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Dana M. Gordon, Ph.D.  
Registration No.: 44,719  
Attorney for Applicants



Form PTO-1449	Docket Number (Optional) HUV-020.06	Application Number 10/615,501
<b>INFORMATION DISCLOSURE CITATION</b> <b>IN AN APPLICATION</b> (Use several sheets if necessary)		
Applicant Jacobsen, E.N., et al.		Group Art Unit 1626
Filing Date July 7, 2003		

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
	AA	WO 93/03838	3/4/93	Patent Cooperation Treaty			

**OTHER DOCUMENTS**

*(Including Author, Title, Date, Pertinent Pages Etc.)*

AQ	Aoi, Haruhiko, et al., "A Study of the Kinetic Resolution of DL-Propylene Oxide with Optically Active Co(I)(salen) Type Complexes", Bulletin of the Chemical Society of Japan, Vol. 48(6), 1897-1901 (1975)
AR	Nugent, W.A., "Chiral Lewis Acid Catalysis. Enantioselective Addition of Azide to Meso Epoxides", J. Am. Chem. Soc., 1992, 114, 2768-2769
AS	Takfichi, T., et al. "Asymmetric Cyclizations Of Some Chlorohydrins Catalyzed By Optically Active Cobalt (Salen) Type Complexes", Tetrahedron, 1980, Vol. 36, 3391-3398

EXAMINER		DATE CONSIDERED
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1. Information Disclosure Statement (3 pages);
2. Certificate of Mailing (1 page);
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4. References for IDS (AA and AQ-AS); and
5. A return-receipt postcard.

Attorney Docket No.: HUV-020.06

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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